

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LAWRENCE FOWLER,

Plaintff,

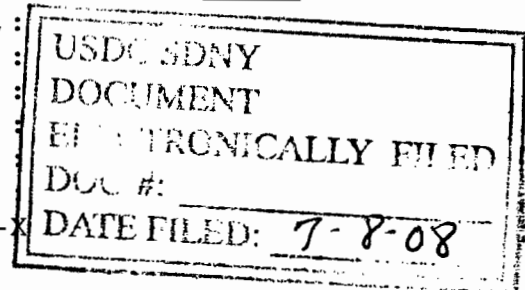
-v-

THE CITY OF NEW YORK, ROBERT T. JOHNSON,
District Attorney, Bronx County, and
THE STATE OF NEW YORK, DAVID PATTERSON,
Governor,¹

Defendants.
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07 Civ. 10274 (JSR)

ORDER



JED S. RAKOFF, U.S.D.J.

Plaintiff Lawrence Fowler brought this action against the City of New York and other defendants alleging, inter alia, violations of his civil rights under 42 U.S.C. § 1983 in connection with his arrest, conviction, and post-conviction imprisonment. Defendant the City of New York moved for summary judgment.

For the reasons stated from the bench, see Tr. 7/2/08, the Court finds that the plaintiff has not established a basis for municipal liability under Monell v. New York City Department of Social Services, 436 U.S. 658 (1978). Accordingly, the City's motion is granted, and the action is dismissed in its entirety.²

¹ Pursuant to Federal Rule of Civil Procedure 25(d), David Paterson, Governor of the State of New York, is automatically substituted as defendant in this action for his predecessor, Eliot Spitzer.

² It appears that although the Complaint named as additional defendants Robert Johnson and the State of New York, through then-Governor Eliot Spitzer, those defendants were never

Clerk to enter judgment.

SO ORDERED.

Dated: New York, New York
July 7, 2008


JED S. RAKOFF, U.S.D.J.

served and have never appeared. In any event, it seems clear that the plaintiff is no longer pursuing any claims against them.